

REMARKS

Claims 1-19 stand in this application. Claims 1, 9 and 18 have been amended.

Reconsideration and allowance of the standing claims are respectfully requested.

Specification

The Examiner reminded Applicant of the proper language and format for an abstract of the disclosure. In particular, the Examiner points out that “the abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need to consulting the full patent text for details.” Applicant has amended the abstract in accordance with the Examiner’s concerns.

Claim Objections

The Examiner objected to the reference in claims 1-8 to “an operating power level.” The Applicant has amended claims 1-8 to correct the informality pointed out by the Examiner.

35 U.S.C. §103(a)

Claims 1-8 and 12-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tate et al. (U.S. Patent No. 6,687,839) in view of Oprescu et al. (U.S. Patent No. 5,483,656). Applicant respectfully traverses this rejection.

The Examiner states that Tate teaches the method of Claim 1 for managing power to a system except that Tate “does not explicitly teach a modification signal used for

modifying the operating power level of at least one of said plurality of devices is created and sent to the at least one of said plurality of devices.”

For this deficiency, the Examiner directs the Applicant to Oprescu. The Examiner contends that “Oprescu teaches the priority of a power usage request (device requesting to be powered up) is compared with the priority of the previously granted power usage requests (devices currently drawn power from power line 30) to determine whether a revoke signal (modification signal to modify an operating power level from full operating power level to off state) is to be sent.” [Col. 8, line 61 to col.9, line 2 of Oprescu]. The Examiner concludes, based on this inference, that “[t]herefore, Oprescu teaches the steps of creating a modification signal (revoke signal) to modify an operating power level (from normal operating state to off state) of at least one of said plurality of devices (based on the priority) and sending said modification signal to said at least one of said plurality of devices (a lower priority is revoked).”

Applicant has amended claim 1. In particular, amended claim 1 recites, in pertinent part, that the modification signal is “based on said change in said power level of said power supply.” Support for this amendment is found in the specification, *inter alia*, at page 7, lines 5-8. No new matter has been added.

The citation of Oprescu that the Examiner relies on does not teach “creating a modification signal, based on said change in said power level of said power supply, to modify an operating power level of at least one of said plurality of devices...” Rather, Oprescu arguably teaches that at “step 114, the power manager compares the priority of the power usage request with the priority of previously granted power usage requests.”

See Oprescu col. 8, lines 64-66. Thus, Oprescu teaches comparing power usage requests,

rather than creating a modification signal based on said change in the power level of said power supply. Nothing in Oprescu teaches that a power usage request is related to the power level of the power supply, only that a power usage request has a priority and is compared with the priority of previously granted power usage requests. The usage requests of Oprescu relate to the electronic devices connected to bus 12 requesting operating power; not to the source of the power supplied to these devices from the power supply.

The Oprescu citation that the Examiner relies on goes on to state that “[i]f devices are currently operating subject to a power usage request having a lower priority, the power manager revokes the previously granted power usage request thereby increasing the available power...” *See Oprescu col. 8, line 66 to col. 9, line 2.* Again, Oprescu only discloses power usage requests, but does not teach a modification signal based on a change in power levels of a power supply. Moreover, Oprescu arguably teaches that the power usage request is revoked, but does not teach “creating a modification signal...to modify an operating power level of at least one of said plurality of device” as recited in present claim 1. Clearly, Oprescu does not teach creating a modification signal to modify the operating power level of a device and certainly does not teach creating a modification signal based on a change in power level of the power supply. Applicant respectfully submits that Oprescu does not teach the limitation which the Examiner relies on for the deficiency in Tate. For at least the reasons stated above, Applicant respectfully submits that claim 1 is allowable over the cited references.

Claims 2-8 stand rejected. However, each of these claims depends either directly or indirectly from independent claim 1. For at least the reasons stated above with respect

to claim 1, it is respectfully submitted that the rejections of claims 2-8 are likewise traversed.

Claims 12-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tate and Oprescu. The Examiner states that Tate and Oprescu together teach the claimed method steps. Claim 12 recites, in relevant part, “said power modification unit to detect a change in said power supply power level and to modify said operating power levels of at least one of said plurality of devices.” Again, Oprescu teaches comparing power usage requests, rather than a modification unit to detect a change in said power supply level. Nothing in Oprescu teaches that a power usage request is related to the power level of the power supply, only that a power usage request has a priority and is compared with the priority of previously granted power usage requests. For the same reasons stated above with respect to independent claim 1, Applicant respectfully submits that claim 12 is not obvious in view of Tate and Oprescu and is therefore, in condition for allowance. Because claims 13-17 either depend directly or indirectly from claim 12, and for at least the reasons stated above it is respectfully submitted that the rejections of claims 13-17 are likewise traversed.

Claims 18 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tate and Oprescu. The Examiner states that “Tate and Oprescu together teach the claimed method steps.” “Therefore, Tate and Oprescu together teach the article having stored therein instruction, executed by a processor, for carrying out the claimed method steps.” The Applicant has amended claim 18 which recites that “the modification signal, based on said change in said power level of said power supply,...” For the same reasons stated above with respect to independent claim 1, Applicant respectfully submits that

independent claim 18 is not obvious in view of Tate and Oprescu and is therefore, in condition for allowance. Because claim 19 depends directly from claim 18, and for at least the reasons stated above, it is respectfully submitted that the rejection of claim 19 is likewise traversed.

Claims 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Oprescu et al. Applicant respectfully traverses this rejection.

The Examiner states, with respect to claim 9, “that Oprescu does not explicitly teach the devices are connected to a power supply.” “However, one of ordinary skill in the art would have readily recognized that the power line would obviously need to be connected to a main power source for supplying power to the devices of the system.”

The Applicant has amended claim 9. In particular, claim 9 recites, in relevant part, “receiving a modification signal, based on a change to a power level of a power supply, to modify an operating power level for a device of a plurality of devices connected to said power supply.” For the same reasons stated above with respect to independent claim 1, Applicant respectfully submits that independent claim 9 is not obvious in view of Oprescu and is therefore, in condition for allowance.

Because claims 10-11 depend either directly or indirectly from claim 9, and for at least the reasons stated above, it is respectfully submitted that the rejections of claims 10-11 is likewise traversed.

Applicant respectfully submits that in light of the foregoing amendments and remarks, all of the presently pending claims are in condition for allowance. Entry of the present amendment and/or allowance of the presently pending claims are, therefore, respectfully requested.

Reply to Office Action of April 12, 2004

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to:
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8-31-04

Date

Dated: 8-31-04

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